

REMARKS

Status of the Claims

Pending Claims

Claims 1, 27, 33, 40, 45, 48, 57, 60, 98, 100, 106, 116, 126, 131, 141, 173-175, 180, 185, 190, 196, 198, 202, 204-206, 212-214, 218-221 and 223-229 are pending. Claims 1, 27, 33, 40, 45, 48, 57, 100, 106, 126, 131, 141, 173, 174, 205, 206 and 214 are withdrawn. Therefore claims 60, 98, 175, 180, 185, 190, 196, 198, 202, 204, 212, 213, 218-221 and 223-229 are pending and under examination.

Outstanding Rejections

Claims 60, 98, 175, 180, 185, 190, 196, 198, 202, 204, 212, 213, 218-221 and 226-229 are rejected under 35 U.S.C. §112- First paragraph.

Support for the Claim Amendments

The specification sets forth an extensive description of the invention in the amended claims. Accordingly, Applicants respectfully submit that no new matter is introduced by the instant amendment.

Allowable Claims

Applicants thank the Examiner for noting that claims 223-225 are only objected to because of their dependence from a rejected base claim, and that claims 223-225 would be allowable if re-written in independent form. The instant amendment addresses this issue.

Claim Rejections - 35 U.S.C. § 112 – First Paragraph

Enablement and Written Description

Claims 60, 98, 175, 180, 185, 190, 196, 198, 202, 204, 212, 213, 218-221 and 226-229 are rejected under 35 U.S.C. 112, first paragraph, for reasons set forth in detail on pages 2-4 of the OA.

The instant amendment addresses this issue. Specifically, the claims have been narrowed in scope to encompass polypeptides having at least 95% identity over the full length of SEQ ID NO:42 and also having protease activity. Therefore, the rejection of the claims under 35 U.S.C. 112 – first paragraph, may be properly withdrawn.

CONCLUSION

In view of the foregoing amendment and remarks, Applicants respectfully submit that the Examiner can properly withdraw the rejection of pending claims under 35 U.S.C. § 112, first paragraph. In view of the above, claims in this application after entry of the instant amendment are believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue.

In the unlikely event that the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees in connection with the filing of this document to Deposit Account No. 50-0661 referencing docket no. D1160N. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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